

A.D. 2.3, Employee Selection, Transfer and Promotion
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1. Policy. The Department of Correction shall ensure fair and consistent employment practices for all prospective and current employees of the agency.
2. Authority and Reference.
 - A. 18 United States Code Sections 921 and 922, and 42 United States Code 2000e through 2000e 17.
 - B. Rehabilitation Act of 1973.
 - C. Connecticut General Statutes, Chapter 67 and Sections 18-81, 46a-60, 46a-70, 46a-72 and 46a-80(b).
 - D. Regulations of Connecticut State Agencies, Sections 5-216-1 through 5-230-1, 5-239-1 and 5-239-2.
 - E. Collective Bargaining Contracts.
 1. Administrative and Residual (P-5) Bargaining Unit, July 1994, Articles 9 and 30.
 2. American Federation of State, County and Municipal Workers (NP-3) Bargaining Unit, July 1994 Articles 12, 23 and 34.
 3. American Federation of State, County and Municipal Workers (NP-4) Bargaining Unit, July 1994, Articles 9 and 10.
 4. Connecticut Employees Union Independent (NP-2) Bargaining Unit, July 1993, Articles 11, 14 and 15.
 5. Connecticut State Employees Association (P-3B) Bargaining Unit, July 1994, Articles 13 and 36.
 6. Connecticut State Employees Association (P-4) Bargaining Unit, July 1994, Articles 11 and 32.
 7. New England Health Care Employees Union, District 1199 (NP-6) Bargaining Unit, July 1993, Articles 8 and 15.
 8. New England Health Care Employees Union, District 1199 (P-1) Bargaining Unit, July 1993, Articles 8 and 15.
 - F. Americans with Disabilities Act of 1991.
 - G. American Correctional Association, Standards for the Administration of Correctional Agencies, June 1979, Standards 108 and 109.
 - H. American Correctional Association, Standards for Adult Probation and Parole Field Services, Second Edition, March 1981, Standards 2-3032 through 2-3034 and 2-3039.
 - I. American Correctional Association, Standard for Adult Local Detention Facilities, Third Edition, March 1991, Standards 3-ALDF-1A-07 through 3-ALDF-1A-10, 3-ALDF-1C-04, 3-ALDF-1C-07, 3-ALDF-1C-08, 3-ALDF-1C-10 through 3-ALDF-1C-13 and 3-ALDF-1C-15.
 - J. American Correctional Association, Standards for Adult Correctional Institutions Third Edition, January 1990, Standards 3-4007 through 3-4010, 3-4048, 3-4053 through 3-4060.
 - K. American Correctional Association, Correctional Standards Supplement, January 1990, Standards 2-3040, 2-3042 and 2-5053.
 - L. Administrative Directives 2.5, Performance Appraisals and 6.8, Searches and Urinalysis.
3. Definition. For the purposes stated herein, the following definitions

apply:

- A. Appointing Authority. A board, commission, officer, commissioner, person or group of persons having the power to make appointments by virtue of a statute or by lawfully delegated authority.
 - B. Decentralized Promotional Examination Program (DPEP). A promotional examination process approved by the State Personnel division but administered by the individual State agencies such as the Department of Correction.
 - C. Emergency Appointment. A temporary placement of a qualified individual in a position, for a period not more than two (2) months, in order to facilitate the carrying on of public business or avoid loss or serious inconvenience to the public, when a situation arises which would not permit the securing of certified eligibles.
 - D. Provisional Appointment. A temporary placement of an individual to a permanent position pending state examination or examination results in order to facilitate the carrying on of public business or avoid inconvenience to the public for a period not to exceed six (6) months in any fiscal year.
 - E. Temporary Appointment. A position in the state service which is expected to require the services of an incumbent for a period not in excess of six (6) months.
 - F. Transfer. The voluntary or involuntary movement of an employee from one position to another having the same class or grade, within the agency.
4. Non-Discrimination. The Department shall ensure that no employee or prospective employee is discriminated against, in recruitment, appointment, promotion, upgrading assignment, demotion, selection compensation, transfer or termination, regardless of race, color, religious creed, age, sex, marital status, sexual orientation, national origin, ancestry, present or past history of mental disorder, mental retardation, learning disability or physical disability, including but not limited to blindness. This protection shall only be limited by: provisions of the Connecticut General Statutes or when there is a bona fide occupational qualification excluding a protected group member, as outlined in Section 5(E) below. There shall be no gender specific post. However, specific duties (e.g., urine testing, strip searches, and body cavity searches) shall normally be conducted by staff of the same sex as the inmate in accordance with Administrative Directive 6.8, Searches and Urinalysis.

Each employee shall normally be expected to perform all post assignments. Temporary physical conditions which limit an employee's ability to perform the essential functions of the job may be accommodated only when such accommodation is consistent with the applicable collective bargaining agreement, the requirements of the Rehabilitation Act of 1973, Americans With Disabilities Act of 1991 and the Department's recuperative post program. Any accommodation of this nature shall be expressly limited to those individual cases in which the attending or assigned physician enumerates specific tasks which could cause injury to the employee or a fetus. All such conditions requiring accommodation shall be brought to the attention of the employee's supervisor and reviewed by the appropriate Personnel Manager in consultation with the Affirmative Action Officer and the department's

Worker's Compensation Coordinator.

5. Recruitment and Selection. Recruitment and selection activities for new hires and promotion shall be initiated as early as possible to minimize service gaps and/or the need for non-permanent appointments.
 - A. Recruitment activities shall not begin until the Unit Administrator or higher authority has authorized the refill of a position and the Human Resources Unit has developed a recruitment strategy that is congruent with the Department's Affirmative Action Plan. The refilling of a position shall require the approval of the Commissioner or designee.
 - B. A Human Resources representative shall initiate and coordinate all recruitment activities in conjunction with the Affirmative Action Unit. All applications shall be processed by the Central Human Resources Office or District Human Resources Office prior to hiring consideration by the approving Unit Administrator or higher authority. Information on recruitment activities shall be logged on the applicant flow sheet for forwarding to the Affirmative Action Unit for review.
 - C. Each candidate for new hire shall complete and submit a Connecticut Department of Correction Application for Employment Form, Attachment A.
 - D. Each application shall be reviewed by the appropriate Human Resources representative to ensure that the candidate meets the minimum requirements of the position.
 - E. At a minimum, when an applicant is an ex-inmate and/or has any criminal history, the selection process shall include the following guidelines:
 1. an applicant with an undeclared criminal history shall not be considered;
 2. an applicant with a single misdemeanor conviction shall not be considered for two (2) years from the date of the last disposition of the misdemeanor, or complete satisfaction of sanction whichever is later;
 3. an applicant with a misdemeanor incarceration shall not be considered for three (3) years from the date of the last disposition or complete satisfaction of sanction whichever is later;
 4. an applicant with multiple misdemeanor convictions shall not be considered for five (5) years from the date of the last disposition of the misdemeanor, or complete satisfaction of sanctions whichever is later;
 5. an applicant with multiple misdemeanor incarcerations shall not be considered for seven (7) years from the date of the last disposition or complete satisfaction of sanctions whichever is later;
 6. an applicant with a felony conviction shall not be considered;
 7. an applicant who has any criminal history which may impair or disable the applicant's ability to effectively perform the functions of the job, shall not be considered;
 8. an applicant for a hazardous duty position that may require the handling of a weapon, who is disqualified from possessing firearms under any provision of state or federal

law including, but not limited to 18 United States Code Sections 921 and 922, shall not be considered. 18 United States Code Sections 921 and 922 lists conditions for firearms restrictions which include but are not limited to, use or attempted use of physical force, or the threatened use of a deadly weapon, committed by a current or former spouse, parent, or guardian of the victim, by a person with whom the victim shares a child in common, by a person who is cohabitating with or has cohabitated with the victim as a spouse, parent, or guardian, or by a person similarly situated to a spouse, parent, or guardian of the victim.

A person shall not be considered to have been convicted of a felony or misdemeanor offense for purposes of this Directive if the conviction has been expunged or set aside, or is an offense for which the person has been pardoned unless the pardon, expungement, or restoration of civil rights expressly provides that the person may not ship, transport, possess, or receive firearms.

- F. Interviews shall be based on job related criteria. Simulations and hypothetical situations used in the interview shall directly pertain to the job and must be posed to all candidates. Job specifications shall be used to ensure the job relatedness of questions. Interviewers shall conduct each interview in an objective, non-discriminatory manner.
- G. No offer of employment shall be made without prior authorization by the appointing authority, in consultation with a Human Resources representative and, where appropriate, the Commissioner. All offers of employment shall be made in writing by the appointing authority or Human Resources designee.
- H. The recruitment and selection procedure, as noted in Sections 5(A-G) above, shall be followed any time a vacancy is being filled, whether by promotion, transfer, or new hire. An appointed or unclassified position shall be at the discretion of the Commissioner.

6. Job Postings.

- A. Bulletin Boards. Each unit shall maintain a bulletin board designated for posting employment vacancies and examination announcements. All examination announcements for positions in the classified service shall be posted at all units. In the event a collective bargaining agreement contains more detailed posting requirements, those requirements shall be followed as applicable.
- B. Weekly Listing. The Central Human Resources Office shall coordinate and distribute a weekly listing of all posted agency vacancies by facility. Included in this listing shall be each job title, the name of the contact person and closing date for applications.

7. Applications. Each applicant for a competitive Department position must take and successfully complete the State examination for the appropriate classification. Upon request, a candidate shall be provided with the standard Application for Examination or Employment (PLD-1) which may be obtained from a Human Resources representative.

8. Candidates Packets. The candidate's packet shall contain individual information (e.g., name, address, race, sex, social security number and regional work preference) which is maintained by the assigned Human Resources representative. The packet shall be used to gather information essential to the recruitment and selection process. It shall include, if applicable: the Connecticut Department of Correction Application for Employment Form; Examination Score; Interview Assessment Sheet; Writing Sample; Background Investigation, including COLLECT Background Report; Employer Verification and Education Background form; Employment Verification form; Physical Agility Assessment Score; Release of Information form; Physical Examination including drug screening results; and a copy of high school/GED, college degree, and/or transcripts.
9. Interview Panels. With the exception of pre-screening, interview panels shall consist of a Human Resources representative who serves as chair and a supervisory staff representative from the respective unit. In the event of a vacant position which crosses functional supervision lines, the direct supervisor and the functional supervisor may both be involved in the selection process.
10. Appointment and Promotion. Appointment and promotion shall be governed by the Connecticut State Merit System and collective bargaining process. It shall be the responsibility of the applicant or staff member to disclose any past criminal conviction(s) or pending criminal charge(s). Failure to fully and accurately detail such criminal background shall be cause to exclude the applicant from further consideration and shall be cause to dismiss a current employee. Each candidate shall receive a complete background investigation prior to appointment or promotion. If the Investigator receives a positive response to any of the inquiries contained in the background investigation, the candidate shall be provided an opportunity to respond to (e.g., deny, confirm) the background information. Based on the responses provided and subject to verification, a determination shall be made as to whether the candidate shall be allowed to continue with the selection process. Each such case shall be reviewed by the Personnel Recruitment Manager in consultation with the Director of Human Resources. Any candidate that may be determined to be continued in the process shall have the appropriate information forwarded to the Commissioner, or designee, for approval. In addition to the above, each candidate for hazardous duty position must successfully pass a pre-employment physical examination and a physical agility test. Each candidate shall successfully pass a pre-employment drug screening component. Upon successful completion, candidates shall be placed into an eligible "pool" to fill vacancies throughout the State. During the working test period employees are subject to random drug testing.
 - A. Examination Announcements. When examinations are to be given, the Department of Administrative Services, State Personnel Division or in the case of Decentralized Promotional Examination Program (DPEP), the Central Human Resources Office, shall publish announcements describing the duties and responsibilities of the job, qualifications for eligibility, and closing date for filing applications. Completed applications for examinations other than those announced under DPEP shall be forwarded to the Department of

Administrative Services. For DPEP examinations, applications shall be forwarded to the Central Human Resources Office, DPEP Unit.

- B. Examinations. There shall be three (3) types of examinations administered to qualify for appointment or promotion. These include:

1. open-competitive, which are open to all applicants who meet the minimum qualifications for the classification;
2. statewide promotional, which are open only to state employees who meet the minimum requirements for the classification and have permanent status in any State agency; and
3. Department promotional, which are open only to qualified employees in the Department of Correction who meet the minimum qualifications for the classification and have permanent status in the Department.

The Decentralized Promotional Examination Program (DPEP) authorizes the Department to conduct its own examinations for certain promotion classes which are enumerated in the Decentralized Promotional Examination Plan.

11. Appointment Notification. Once the Director of Human Resources or designee approves an applicant for hire, a letter shall be sent informing the applicant of the next Center for Training and Staff Development orientation training date. Only a candidate selected for a position shall receive an appointment letter. Unless appointed, candidates shall remain on an employment list for so long as the listing is in effect.

12. Appointments.

- A. Permanent. Permanent appointments may be made from certification lists, the reclassification process or to noncompetitive positions which do not require formal examination. The working test period shall begin upon appointment of a candidate from the certification list or appointment date.

- B. Provisional. When a candidate has been determined to be otherwise qualified for a position and no active employment list is available, the candidate may be given a provisional appointment for up to six (6) months or until the promulgation of a certification list for the classification, whichever occurs first. Such an appointee shall be required to take the first examination announced for the position and pass the examination in order to receive permanent appointment to the position. If a provisional appointee does not pass an examination list, once a certification list is promulgated, the appointee may be separated from State Service or demoted. An individual may receive only one (1) provisional appointment in any one (1) fiscal year. In the event the examination process is not completed within the six (6) month period, provisional appointees may be continued in their positions by means of temporary and/or emergency appointments for periods not to exceed six (6) and two (2) months, respectively. The working test period for employees appointed on a provisional, temporary or emergency basis shall not begin until permanent appointment.

- C. Promotions. A promotion may be made to fill an existing vacancy

or through the reclassification process. Whether a position is competitive or noncompetitive, employees shall meet the experience and training requirements enumerated in the appropriate job specification to qualify for a promotion. All promotions shall be based on the employee's history of performance and shall be subject to the following criteria.

1. not more than eight (8) occasions of sick leave within a year;
2. discipline free for the preceding 12 months;
3. satisfactory or better ratings on performance appraisals for the prior two (2) years of service or for the applicants entire employment period whichever is less;
4. must meet general and specific requirements of the classification, including length of service, education and certification.

In addition to the above criteria, for vacant competitive positions, promotions shall be based on passing the examination. Employment lists shall be established for vacant competitive positions. Examination notices shall be posted on bulletin boards in State agencies. The closing dates for filing applications shall be rigidly enforced. Employees shall be responsible for keeping up to date on all examination information. Any candidate whose application for examination is rejected may appeal in writing to the State Personnel Division, Department of Administrative Services.

Promotion to a noncompetitive position shall not require an examination; but shall be based on the employee's meeting the minimum qualifications of the position and the above criteria. When an employee is promoted to a noncompetitive position or from a certification list to a competitive position, the employee shall receive a salary increase equal to at least one (1) full step in the salary group of the higher classification. A managerial employee shall normally receive a five (5%) percent increase at the time of promotion or the minimum salary for the classification, whichever is greater.

13. Working Test Period. Employees must successfully complete a working test period to attain permanent status. Working test periods shall be served upon initial appointment and promotion. The duration of the initial probationary period or promotional working test period shall be determined by the appropriate collective bargaining agreement or applicable state regulation. During the initial working test period, a new employee shall be considered a probationary employee, and work closely with supervisors and other employees to learn job duties. This working test period shall also be used to provide the supervisor with an opportunity to evaluate the employee's response to training and job requirement needs. Evaluations shall be conducted consistent with Administrative Directive 2.5, Performance Appraisals. If, at the end of the working test period, the employee has demonstrated overall acceptable performance to the supervisor, the employee shall be given a satisfactory service rating and attain permanent status as a State employee. Under certain collective bargaining contracts, and state

regulations, the working test period may be extended. Any employee who does not meet acceptable performance requirements during the initial working test period shall be terminated.

14. Managerial Promotions. Promotional opportunities for each classified managerial position may be posted and advertised in the following manner:

- A. The vacancy may be posted at each Department work site.
- B. The State Personnel Recruitment and Testing Center may be provided with a copy of the announcement for statewide posting to all agencies.
- C. The Department may advertise in a general daily newspaper of statewide circulation and/or local newspapers where the vacancy exists.
- D. The Department may advertise in a variety of media which would include professional magazines, minority and female oriented publications and journals, trade association and society publications. Colleges, schools, institutions and technical training centers may also be contacted as appropriate.

External recruitment efforts, prior to advertising, may be inappropriate until such time as a determination is made concerning the availability of candidates on existing certification lists and the interest of such candidates in the position.

15. Managerial Selection Committee.

- A. Composition. A Selection Committee for managerial positions shall be comprised of the following:
 - 1. Human Resources representative at the Personnel Officer I level or above;
 - 2. a person(s), at or above the level of the subject classification, who has extensive knowledge about the duties and responsibilities of the position; and
 - 3. other personnel as may be appropriate for the position.

The Selection Committee shall comprise a cross-section of departmental employees who meet the foregoing criteria to ensure representation of protected group members.

- B. Screening. All responses to job postings shall be pre-screened by a human resources representative knowledgeable in job classification to ensure that each candidate meets the minimum requirements of the position. Candidates for consideration shall be referred based on specific position criteria. Pre-screening shall normally be conducted by the Human Resources representative responsible for the recruitment.
- C. Question Preparation and Interview. Prior to conducting job interviews, the Selection Committee shall meet to formulate specific questions based on objective job criteria. This shall ensure fairness and consistency in conducting interviews. The Committee shall also be accountable for establishing evaluation criteria (e.g., background experience, interpersonal skills, writing skills, and other appropriate factors for the specific

position). The Human Resources representative shall develop a rating scale (typically five (5) levels with the highest being excellent and the lowest unacceptable) to be used by the Selection Committee for rating each of the candidates. Each candidate shall be rated, and a composite score rendered, immediately following the interview. This portion of the process shall be coordinated by the Human Resources representative.

- D. Selection Committee Recommendation. Upon completion of the interviews, the Selection Committee shall review the ratings and list each candidate in rank order. The individual responsible for making the final selection shall determine the number of ranks to receive second interviews.
16. Selection. Upon receipt of the list of eligible candidates, the individual responsible for recommending the final selection shall establish an interview schedule. Any candidate not being offered a second interview may be notified in writing no later than 15 days following the ranking of the candidates based on the Selection Committee interviews and before the final interview schedule. Secondary interviews shall be conducted in a timely manner, normally within 30 days, following receipt of the list of eligible candidates. Final selection shall be made as soon as possible thereafter following confirmation of the selection at the appropriate Departmental level as determined by the Commissioner. Prior to notifying the successful candidate, the selector shall consider any affirmative action goals established for the position. Once the selection is confirmed, the Human Resources representative shall notify the successful candidate in writing that an offer of employment is being made and shall be contingent upon passing a physical exam for those candidates applying for a hazardous duty position. The letter shall be sent and will include, but need not be limited to, the starting salary, type of appointment and date of hire.
17. Transfer Eligibility. Eligibility requirements for transfers vary by bargaining unit. Therefore, an employee must consult the applicable collective bargaining unit agreement or State Regulations for specific details.
- A corrections (NP-4) bargaining unit employee must have worked six (6) months as a permanent employee to be eligible for placement on the transfer list. Any such employee who is granted a transfer, rejects a transfer, or fails to acknowledge an offer to transfer within 24 hours of receipt of a transfer offer, shall be ineligible for placement on the transfer list for a period of six (6) months.
18. Transfer Request. An eligible employee's name may be placed on the appropriate transfer list by submitting an Employee Transfer Request Form, CN 2301, Attachment B. The appropriate form shall be completed and signed by the requesting employee and Facility Personnel Officer. The information on this form, in turn, shall be verified by the personnel officer and forwarded to the Central Human Resources Office. Requests for transfer shall be received on an ongoing basis, but a corrections (NP-4) bargaining unit employee's name shall not be placed on the list until the beginning of the next quarter. An employee's name shall remain on the list for one (1) year.

19. Transfer Lists. The transfer lists for each required title shall be maintained in the Central Human Resources Office, and updated January 1, April 1, July 1, and October 1 of each year. Employees, upon request and with adequate notice, may be allowed to review the transfer lists located at Human Resources on a reasonable basis during business hours.

When new facilities open, up to 50 percent of the corrections (NP-4) bargaining unit positions shall be filled from the transfer list if adequate numbers are on the list. Subject to the provisions of the contract, the Department may, from time to time, exercise the right to hire directly into a facility before utilizing the transfer list. Not more than 15 percent of the total number of corrections (NP-4) bargaining unit positions in an existing facility shall be transferred to a new facility upon opening. The opening of a new facility may be announced within 90 days of the projected opening for interested employees to place their names on the transfer lists utilizing the Employee Transfer Request form CN 2301, Attachment B. Separate transfer lists shall be maintained for field service positions and facility positions.

20. Involuntary Transfers. Involuntary transfers shall be made in accordance with applicable contract or state personnel regulations.
21. Exceptions. Any exception to the procedures in this Administrative Directive requires prior written approval from the Commissioner.